



**In the United States Patent and Trademark Office
Board of Patent Appeals and Interferences (37 CFR 1.191)**

In re application of: James P. Elia

Docket No.: 1000-10-CO1

Serial No. 09/836,750

Group No.: 1646

Filed: February 27, 2001

Examiner: Elizabeth C. Kemmerer, Ph.D.

For: METHOD FOR GROWING
MUSCLE IN A HUMAN HEART

MAIL STOP APPEAL BRIEF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Appellant hereby submits an Appeal Brief, in furtherance of the Notice of Appeal mailed on December 14, 2006, and received by the Patent and Trademark Office on December 19, 2005, in the above-identified application.

The item(s) checked below are appropriate:

1. **Status of Applicant/Appellant**

This application is on behalf of

a small entity

2. **Fee for Filing Appeal Brief**

Pursuant to 37 CFR 1.17(f) the fee for filing the Appeal Brief is:

a small entity

Appeal Brief fee due: \$ 250.00

3. **Extension of Term**

a) Extension requested:

Extension (months)	Fee for small entity
one month	\$ 60.00
two months	\$ 225.00
three months	\$ 510.00
four months	\$ 795.00
five months	\$1,080.00

Request Extension for One (1) month

Extension fee due: \$ 60.00

3. Extension of Term (*continued*)

Or

b) No Extension requested

4. Total Fee Due

The total fee due is:

Appeal Brief fee \$250.00

Extension fee \$ 60.00

Total Fee Due: \$ 310.00

5. Fee Payment

Attached is Check No. 1275 in the sum of \$ 310.00

Date: February 20, 2007

Reg. No.: 26,611

Signature of attorney

Signature of attorney

Gerald K. White

Type or print name of attorney

CERTIFICATE OF MAILING

I hereby certify that the attached APPELLANT'S APPEAL BRIEF was deposited, as First Class Mail, in an envelope addressed to Mail Stop APPEAL BRIEF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this

20th day of February, 2007.

Dated: February 20, 2007

Harold H. White

Printed Name: GERALD K. WILFIE

GERALD K. WHITE & ASSOCIATES, P.C.
205 W. Randolph Street, Suite 835
Chicago, IL 60606
Phone: (312) 920-0588
Fax: (312) 920-0580
Email: gkwpatlaw@aol.com